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AND ANTHONY J. LOVERDE

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA

16 MICHAEL ALMY, JASON KNIGHT, and  
17 ANTHONY LOVERDE,

18 Plaintiffs,

19 v.

20 UNITED STATES DEPARTMENT OF  
DEFENSE; ROBERT M. GATES, Secretary  
of Defense; DEPARTMENT OF THE AIR  
21 FORCE; MICHAEL B. DONLEY, Secretary,  
Department of the Air Force; DEPARTMENT  
22 OF THE NAVY; and RAY MABUS,  
Secretary, Department of the Navy,

23 Defendants.

24 Case No. cv 10-5627 (RS)

25 **PLAINTIFFS' JOINT STIPULATION  
26 SETTING FORTH REVISED  
27 BRIEFING SCHEDULE DEADLINES**

28 Date: October 27, 2011

Time: 1:30 p.m.

Courtroom: 3, 17<sup>th</sup> Floor

**JUDGE: HON. RICHARD SEEBORG**

## RECITALS

2       1. Plaintiffs' response to Defendants' Motion to Dismiss or, in the alternative, Cross-  
3 Motion for Summary Judgment ("Defendants' Motion") is currently due on September 2, 2011.  
4 *See* ECF No. 46. Plaintiffs' Reply in Support of their Partial Motion for Summary Judgment is  
5 due the same day. *See id.*

6           2. Defendants' Reply in Support of Defendants' Motion is currently due on  
7 September 9, 2011. *See id.*

8           3.       To explore the possibility of resolution outside the Court, the parties have  
9       stipulated, pursuant to Local Rule 6-1, to an extension of the date for Plaintiffs' response to the  
10      Defendants' Motion from September 2, 2011 to October 6, 2011.

11           4. Defendants would then file a reply brief in support of Defendants' Motion on or  
12 before October 20, 2011.

13       5.       The parties' motions would be heard on October 27, 2011, if that date is available  
14 on the Court's calendar.

## **STIPULATION**

Plaintiffs will respond to the Defendants' Motion and in support of their own Motion for Partial Summary Judgment on or before October 6, 2011, pursuant to the agreement of parties under Local Rule 6-1.

Defendants will then file a reply brief in support of Defendants' Motion on or before October 20, 2011.

The parties' motions would then be heard on October 27, 2011, if that date is available on the Court's calendar.

Pursuant to Local Rule 6-2 and 7-12, the parties jointly request an order changing the date for the hearing on Plaintiffs' Motion for Partial Summary Judgment and Defendants' Motion to October 27, 2011, and an order setting forth the above briefing schedule regarding the parties' motions.

Dated: September 2, 2011

M. ANDREW WOODMANSEE  
STEPHANIE L. FONG  
KIMBERLY R. GOSLING  
JESSICA ANNE ROBERTS  
MORRISON & FOERSTER LLP

# JOHN M. GOODMAN SERVICEMEMBERS LEGAL DEFENSE NETWORK

By: /s/ M. ANDREW WOODMANSEE  
M. ANDREW WOODMANSEE

Attorneys for Plaintiffs  
MICHAEL ALMY, JASON KNIGHT,  
AND ANTHONY LOVERDE

**DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B.**

I, M. ANDREW WOODMANSEE, hereby declare pursuant to General Order 45, § X.B., that I have obtained the concurrence in the filing of this document from each of the other signatories listed below.

5 I declare under penalty of perjury that the foregoing declaration is true and correct.

6 Executed on September 2, 2011, in the City of San Diego, State of California.

/s/ M. Andrew Woodmansee  
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## Attorneys for the Federal Defendants

~~PROPOSED ORDER~~

2 It is hereby **ORDERED** that, Plaintiffs will file their (1) Reply in Support of their Partial  
3 Motion for Summary Judgment, ECF Nos. 43-44, and (2) Opposition to Defendants' Motion to  
4 Dismiss or, in the alternative, Cross-Motion for Summary Judgment ("Defendants' Motion"),  
5 ECF 49, on or before October 6, 2011. Defendants will then file a reply brief in support of  
6 Defendants' Motion, on or before October 20, 2011. The parties' motions would then be heard  
7 on October 27, 2011 at 1:30 p.m.

9 || IT IS SO ORDERED,

Dated: 9/2, 2011

A blue ink signature of "Richard Seeborg" is written in a cursive, flowing style. It is positioned above a solid blue horizontal line. Below the line, the name is printed in a black serif font.

Judge Richard Seeborg  
United States District Court